

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

BRENDA HILLMANN,
ANDREW ZERR, and
LORETTA AMENT,

Plaintiffs,

Case No. 4:23-cv-00830-SEP

v.

GREE USA, INC.,
GREE ELECTRIC APPLIANCES,
INC. OF ZHUHAI,
HONG KONG GREE ELECTRIC
APPLIANCES SALES CO., LTD.,
MJC AMERICA, LTD., and
MJC AMERICA HOLDINGS CO., INC.,

Defendants.

BRIEF IN SUPPORT OF MOTION FOR RELIEF FROM PROTECTIVE ORDER

This lawsuit arises from a fire that destroyed a family home. The plaintiffs allege that the fire was caused by a defective dehumidifier manufactured and sold by the defendants. They have retained an expert witness, electrical engineer Derek Starr, to offer opinions about the defects in the dehumidifier.

As part of the discovery in this case, the Court entered a protective order. See Doc. 38. Thereafter, the defendants produced documents and information relevant to Mr. Starr's determination that the dehumidifier contained defects. The protective order prevents Mr. Starr from disclosing in any other case the documents or information he received in this case.

In six other lawsuits, the plaintiffs are making substantially the same allegations against the same defendants as in this case, namely that defective dehumidifiers manufactured and sold by these defendants contained defects and caused fires. A listing of those matters is set forth below:

1. *Cynthia Reynolds v. MJC America Ltd., et al.*, United States District Court for the Eastern District of Wisconsin case number 1:23-cv-00738-WCG;
2. *Raymond Hopp v. MJC America Ltd., et al.*, United States District Court for the Western District of Wisconsin case number 3:23-cv-00235-jdp;
3. *Robert and Patricia Hutton v. MJC America Ltd., et al.*, Wisconsin State Court, Waukesha County Circuit Court Case No. 23-CV-1197; and
4. *Kurt and Danica Herritz v. MJC America Ltd., et al.*, United States District Court for the Eastern District of Wisconsin case number 2:23-cv-00973-JPS.
5. *Robert and Kathy Chinouth, et al. v. MJC America Ltd., et al.*, United States District Court for the Northern District of Illinois case number 3:24-cv-50323.
6. *Linda and Michael Mester v. MJC America Ltd., et al.*, United States District Court for the District of Maryland case number 1:24-cv-01828-JRR.

In each of these cases, the plaintiffs have also retained electrical engineer Derek Starr as an expert witness to opine that the dehumidifiers were defective.

Of particular relevance to the instant motion, the defendants in each of the six other cases are identical to the defendants in this lawsuit.

In performing work in this lawsuit, Mr. Starr has received information and documents relevant to, and that support, his opinion that the dehumidifier was defective. Not surprisingly,

because the dehumidifiers in the six other lawsuits were designed, manufactured, and sold by the same defendants, the information and documents received by Mr. Starr in this case support his opinions offered in the other six cases.

The reason for this motion is that the protective order signed by this Court prevents Mr. Starr from disclosing in the six other lawsuits the facts and information that he knows, and that he learned in this case. This puts Mr. Starr in the untenable position of knowing facts that supports his opinion, but not being able to tell the juries (or even the other courts) what those facts are.

The movants are asking for limited relief from the protective order by allowing Mr. Starr to disclose in the other lawsuits the documents and information he received in this lawsuit. In making this request, the movants would have no objection to a limitation placed on the movants and Mr. Starr to not further disclose the documents and information beyond their use in the six other lawsuits, and any other limitations the Court deems appropriate.

No objection from the plaintiffs

The movants have received from plaintiffs' counsel authority to state that the plaintiffs do not object to this motion.

CONCLUSION

For the foregoing reasons, the movants respectfully request limited relief from the protective order allowing Mr. Starr to use in the six other cases the information and documents he received in this case.

Dated: January 28, 2025.

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Attorneys for Cynthia Reynolds, Raymond
Hopp, Robert and Patricia Hutton, Kurt and
Danica Herritz, Robert and Kathy Chinouth,
and Linda and Michael Mester

/s/ Ronald W. Harmeyer _____

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